



Legislative Bulletin.....September 8, 2005

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: unknown

Effect on Revenue: \$0

Total Change in Mandatory Spending: unknown

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 3

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 0

H.R. 3669 — National Flood Insurance Program Enhanced Borrowing Authority Act of 2005 — *as introduced* (Ney)

Order of Business: The bill is scheduled to be considered on Thursday, September 8th, under a motion to suspend the rules and pass the bill (subsequent to the passage of H.Res. 426, providing for the consideration of motions to suspend the rules on a Thursday).

Summary: H.R. 3669 increases by \$2 billion (from \$1.5 billion to \$3.5 billion), the amount the Federal Emergency Management Agency (FEMA) may, with the President’s approval, borrow to carry out the national flood insurance program. The borrowing authority increase would be in effect through the end of FY08.

Committee Action: H.R. 3669 was introduced on September 7, 2005, and referred to the House Committee on Financial Services, which took no official action.

Cost to Taxpayers: There is no CBO cost estimate available for H.R. 3669.

Does the Bill Create New Federal Programs or Rules?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.R. 3668 — Student Grant Hurricane and Disaster Relief Act— *as introduced (Jindal)*

Order of Business: The bill is scheduled to be considered on Thursday, September 8th, under a motion to suspend the rules and pass the bill (subsequent to the passage of H.Res. 426, providing for the consideration of motions to suspend the rules on a Thursday).

Summary: H.R. 3668 would authorize (but not require) the Secretary of Education to waive the repayment of federal education grant assistance to students:

- “who were residing in, employed in, or attending an institution of higher education that is located in an area in which the President has declared that a major disaster exists (in accordance with the Stafford Act (42 U.S.C. 5170));
- “whose attendance was interrupted because of the impact of the disaster on the student or the institution; and
- “whose withdrawal [from school] ended within the academic year during which the designation occurred or during the next succeeding academic year.”

Additional Background: Current law (20 U.S.C. 1091b) provides for the repayment of federal education grant assistance when students withdraw from school and under other such circumstances.

Committee Action: On September 7, 2005, the bill was referred to the Education & the Workforce Committee, which took no official action.

Cost to Taxpayers: A CBO cost estimate is unavailable.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

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H.R. 3672 — TANF Emergency Response and Recovery Act of 2005 — *as introduced* (McCrery)

Order of Business: The bill is scheduled to be considered on Thursday, September 8th, under a motion to suspend the rules and pass the bill (subsequent to the passage of H.Res. 426, providing for the consideration of motions to suspend the rules on a Thursday).

Summary: The bill makes a number of changes to current welfare law in response to Hurricane Katrina and extends until December 31, 2005, federal welfare programs now set to expire on September 30, 2005. The bill also authorizes the Secretary of HHS to pay out the TANF block grant funds for the first quarter of fiscal year 2006, “as soon as practicable” after the bill is enacted. According to the Ways and Means Committee, this immediately makes available \$4.2 billion in flexible funds to all states, for use in supporting those families with children affected by the hurricane. (Without this legislation, funds otherwise would not become available until October 1, 2005 (the first day of fiscal year 2006). The bill also extends the national random sample study of child welfare and child welfare waiver authority through December 31, 2005, at the first quarter 2005 levels.

The bill also does the following:

- Current law makes available additional TANF funds for states experiencing emergency needs. Also, according to the Ways and Means Committee, “H.R. 3672 converts the current loan fund, which no state has accessed, into a de facto contingency fund for emergency needs in LA, MS, and AL. Those states would receive a 20 percent increase in their federal TANF payment through fiscal year 2006. This would increase federal payments by \$33 million in LA, \$17 million in MS, and \$19 million in AL, for a total of \$69 million in the affected region.”
- H.R. 3672 also makes available up to \$2 billion to allow all states to access the current TANF contingency fund to reimburse them for actual costs of providing emergency cash assistance to evacuees.
- H.R. 3672 waives current spending restrictions (unspent prior year TANF funds must be spent in effect on welfare checks, as opposed to other forms of assistance like employment services, child care and bus vouchers to help families work, and other forms of short-term aid) to provide all states more flexibility in serving families in need as a result of Hurricane Katrina.

- The bill waives work requirements and time limits, through the end of FY06, “to meet a subsistence need of a family resulting from Hurricane Katrina.”
- TANF requires financial penalties, if states fail to comply with certain program requirements, such as submitting reports, checking with other agencies about an applicant’s financial means, and related concerns. This provision waives such penalties if affected states’ failure to comply resulted directly from the hurricane (for example, if offices or computer systems were destroyed) or was due to their focusing on hurricane victims’ needs and dispensing with normal program operations. This provision applies through fiscal year 2006, and with respect to the States of Louisiana, Mississippi, and Alabama. However, these states would remain accountable for ensuring TANF funds are spent on program purposes, and that they maintain prior levels of state spending.

Additional Information: In the 108th Congress, on February 13, 2003, the House passed H.R. 4, 230-192, to reauthorize the welfare programs for five years (<http://johnshadegg.house.gov/rsc/LB21303.pdf>;<http://clerk.house.gov/evs/2003/roll030.xml>). The Senate has yet to consider a welfare reauthorization. Without Senate reauthorization, Congress has voted seven times to temporarily extend the welfare programs:

- H.R. 2350, which passed the House 406-6 on June 11, 2003, (<http://clerk.house.gov/evs/2003/roll261.xml>) and was subsequently signed into law, extended TANF through September 2003;
- H.R. 3146, which passed the House by voice vote on September 24, 2003, and was signed into law, extended the program through March 31, 2004;
- S. 2231, which passed the House by voice vote on March 30, 2004, extended the program through June 30, 2004;
- H.R. 4589, which passed the House by voice vote on June 22, 2004, extended the program through September 30, 2004;
- H.R. 5149 which passed the House by a vote of 416-0 on September 29, 2004 (<http://clerk.house.gov/evs/2004/roll482.xml>), and was signed into law, extended the program through March 31, 2005;
- H.R. 1160 which passed the House by voice vote on March 14, 2005, and was signed into law, extended the program through June 30, 2005; and
- H.R. 3021 which passed the House by voice vote on June 29, 2005, and was signed into law, extends the program through September 30, 2005.

Committee Action: H.R. 3672 was introduced on September 7, 2005, and referred to the House Committees on Ways and Means and the Budget, neither of which took official action.

Cost to Taxpayers: A CBO cost estimate is unavailable. The bill designates that each amount in H.R. 3672 “is designated as an emergency” as defined under the FY06 Budget, and therefore does not count against the Budget.

Does the Bill Expand the Size and Scope of the Federal Government?: Unknown.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

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H.Res. 428 — Expressing the sincere gratitude of the House of Representatives to the foreign individuals, organizations, and governments that have offered material assistance and other forms of support to those who have been affected by Hurricane Katrina — *as introduced* (Hyde)

Order of Business: The resolution is scheduled to be considered on Thursday, September 8th, under a motion to suspend the rules and pass the bill (subsequent to the passage of H.Res. 426, providing for the consideration of motions to suspend the rules on a Thursday).

Summary: H.Res. 428 contains four findings regarding Hurricane Katrina and resolves that the House of Representatives, “expresses its sincere gratitude to the foreign individuals, organizations, and governments that have offered material assistance and other forms of support to those who have been affected by Hurricane Katrina.” Additionally, H.Res. 428 directs the Clerk of the House of Representatives to transmit enrolled copies of this resolution to the Secretary of State with a request that the Secretary transmit the copies to the foreign governments described in this resolution.

Additional Information: For more information on Hurricane Katrina, or to donate your time or money to help the hurricane victims, please visit, <http://www.redcross.org/>.

Committee Action: H. Res. 428 was introduced on September 7, 2005, and referred to the House Committee on International Relations, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.Res. 427 — Relating to the terrorist attacks against the United States on September 11, 2001 — *as introduced* (Hyde)

Order of Business: The resolution is scheduled to be considered on Thursday, September 8th, under a motion to suspend the rules and pass the bill (subsequent to the passage of H.Res. 426, providing for the consideration of motions to suspend the rules on a Thursday).

Summary: Four years after the September 11, 2001 attacks on the United States, the country continues to mourn the tragic loss of life at the hands of terrorists. The resolution states, “these attacks clearly were intended to assail the principles, values, and freedoms of the United States and the American people, intimidate the Nation, and weaken the national resolve, [and four years later], the United States is fighting a Global War on Terrorism to protect America and her friends and allies.” The recent attacks in London, Madrid, and Egypt serve as vivid reminders of the devastation caused on September 11th. H.Res. 427 also states, “because of the skill and bravery of the members of the United States Armed Forces and due to the constant vigilance of our Nation's first responders, the United States homeland has not been successfully attacked by terrorist forces during the four years since September 11, 2001.”

H.Res. 427 resolves that the House of Representatives:

- “extends again its deepest sympathies to the thousands of innocent victims of the September 11, 2001, terrorist attacks, their families, friends, and loved ones;
- “honors the heroic actions and the sacrifices of United States military and civilian personnel and their families who have sacrificed much, including their lives and health, in defense of their country in the Global War on Terrorism;
- “honors the heroic actions of first responders, law enforcement personnel, State and local officials, volunteers, and others who aided the innocent victims and, in so doing, bravely risked their own lives and long-term health;
- “expresses thanks and gratitude to the foreign leaders and citizens of all nations who have assisted and continue to stand in solidarity with the United States against terrorism in the aftermath of the September 11, 2001, terrorist attacks;
- “discourages, in the strongest possible terms, any effort to confuse the Global War on Terrorism with a war on any people or any faith;
- “reaffirms its commitment to the Global War on Terrorism and to providing the United States Armed Forces with the resources and support to wage it effectively and safely;
- “vows that it will continue to take whatever actions necessary to identify, intercept, and disrupt terrorists and their activities; and
- “reaffirms that the American people will never forget the sacrifices made on September 11, 2001, and will never bow to terrorist demands.”

Additional Information: For more information regarding the attacks of September 11, 2001, please visit, <http://www.september11news.com/>.

Committee Action: H. Res. 427 was introduced on September 7, 2005, and was referred to House Committees on International Relations, Armed Services, Transportation and Infrastructure, the Judiciary, and Homeland Security, all of which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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